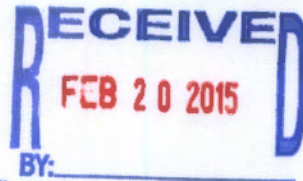




United States Department of State

Washington, D.C. 20520



FEB 10 2015

UNCLASSIFIED

Case No. F-2012-31314
Segment: WHA-0001L
Requester: Heather King

TO: Department of Transportation
Office of the Secretary
Departmental FOIA Office
1200 New Jersey Ave, SE, W94-122
Washington, D.C. 20590

FROM: *JFH* John F. Hackett, Acting Director
Office of Information Programs and Services

SUBJECT: FOI Referral for Direct Reply

In processing this request, we have located the attached documents which concern your agency. Please review this material and reply directly to the requester.

Our recommendations with respect to State Department equities, if any, are marked on each document.

Please be advised that this case is in litigation; therefore, we suggest that you consult with your office of general counsel. In addition, please send us a copy of your reply to the requester. Please refer to our case number in your copy to us and send it to A/GIS/IPS/PP/LA, SA-2 Room 8100, Department of State, Washington, D.C. 20522-8100.

If you have any questions, please call Stephen Quatannens at 202-663-1694.

Attachments:

Copy of request letter

Four documents: C05587115, C05587117, C05587195, C05587197

UNCLASSIFIED

F-2012-31314

BOIES, SCHILLER & FLEXNER LLP

5301 WISCONSIN AVENUE, N.W. • WASHINGTON, D.C. 20015-2015 • PH: 202.237.2727 • FAX 202.237.6131

xref F-2012-30443

July 10, 2012

BY FACSIMILE & FEDEX

Sheryl L. Walter
Director, Office of Information Programs and Services
A/GIS/IPS/RL
U.S. Department of State
Washington, DC 20522-8100

Re: Freedom of Information Act Request

Dear Ms. Walter:

This letter constitutes a request under the Freedom of Information Act ("FOIA") (5 U.S.C. § 552, as amended).

I write to request a copy of the following agency records:

1. All records of intra-agency communications within the Department of State from 2011 or 2012 concerning or related to plans to build a new international bridge crossing between Michigan and Canada in the area of Detroit, Michigan, and Windsor, Canada (the "Bridge"). Such records should include, but not be limited to, communications concerning or related to the application for a Presidential Permit submitted by the State of Michigan, the Michigan Department of Transportation, and/or the Michigan Strategic Fund on or about June 20, 2012, including any records regarding any amendment or supplementation of such application after such date (the "Application"). The names that may be used for the Bridge include, but are not limited to, the Detroit River International Crossing (or "DRIC"), the New International Trade Crossing (or "NITC"), and the Detroit River International Border Crossing.
2. All records of communications from 2012 between the Department of State and any agent, representative, official or instrumentality of the Department of the Interior concerning or related to the Bridge including, but not limited to, communications concerning the Application as required by Executive Order 13337.

3. All records of communications from 2012 between the Department of State and any agent, representative, official or instrumentality of the Department of Defense concerning or related to the Bridge including, but not limited to, communications concerning the Application as required by Executive Order 13337.
4. All records of communications from 2012 between the Department of State and any agent, representative, official or instrumentality of the Department of Commerce concerning or related to the Bridge including, but not limited to, communications concerning the Application as required by Executive Order 13337.
5. All records of communications from 2012 between the Department of State and any agent, representative, official or instrumentality of the Department of Energy concerning or related to the Bridge including, but not limited to, communications concerning the Application as required by Executive Order 13337.
6. All records of communications from 2012 between the Department of State and any agent, representative, official or instrumentality of the Department of Justice concerning or related to the Bridge including, but not limited to, communications concerning the Application as required by Executive Order 13337.
7. All records of communications from 2012 between the Department of State and any agent, representative, official or instrumentality of the Department of Transportation concerning or related to the Bridge including, but not limited to, communications concerning the Application as required by Executive Order 13337.
8. All records of communications from 2012 between the Department of State and any agent, representative, official or instrumentality of the U.S. Department of Homeland Security concerning or related to the Bridge including, but not limited to, communications concerning the Application as required by Executive Order 13337.
9. All records of communications from 2012 between the Department of State and any agent, representative, official or instrumentality of the Environmental Protection Agency concerning or related to the Bridge including, but not limited to, communications concerning the Application as required by Executive Order 13337.
10. All records of communications from 2012 between the Department of State and any agent, representative, official or instrumentality of any other U.S. Government agency concerning or related to the Bridge including, but not limited to, communications concerning the Application.
11. All records of communications from 2011 or 2012 between the Department of State and any agent, representative, official or instrumentality of the State of Michigan—including, but not limited to, the Office of the Governor, the Michigan Department of Transportation, or the Michigan Strategic Fund— concerning or related to the Bridge.

12. All records of communications from 2011 or 2012 between the Department of State and any agent, representative, official or instrumentality of the Government of Canada—including, but not limited to, Transport Canada—concerning or related to the Bridge.

For the purpose of determining what (if any) fees should be applied to this request, please consider this letter a "commercial use request" as defined in 22 C.F.R. §171.11(l). I agree to pay any fees reasonably incurred as a result of this request.

In the event that access to any of the above records is denied, please note that the FOIA provides that if only some portion of a requested file is subject to a FOIA exemption, the remainder must still be released (5 U.S.C. § 552(b)). Furthermore, if any part of this request is denied, we request that you provide the statutory justification for this denial, as well as your reasons for believing that such statutory justification applies in this instance.

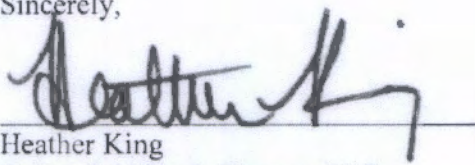
I anticipate that you will make a determination as to whether to provide the requested materials within twenty business days – the statutorily prescribed period – from the date of your receipt of this letter (5 U.S.C. § 552(a)(6)(A)(i)).

Please send the requested records or any correspondence associated with this request to:

Heather King
Boies, Schiller & Flexner, LLP
5301 Wisconsin Avenue NW, Suite 800
Washington, DC 20015
Ph: (202) 274-1129
Email: hking@bsflp.com

Finally, please do not hesitate to contact me at any time regarding any aspect of this request. Thank you very much for your consideration.

Sincerely,



Heather King
Boies, Schiller & Flexner, LLP
5301 Wisconsin Avenue NW, Suite 800
Washington, DC 20015
Ph: (202) 274-1129
Email: hking@bsflp.com

NT OF STATE
D.C. 20520
e.gov

SINESS
ATE USE, \$300

OF STATE

DC 20522

AN EQUAL OPPORTUNITY EMPLOYER



RETURN RECEIPT
REQUESTED

National Freedom of Information Officer
U.S. Enviromental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460

